

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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No. 04-3424

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BEVERLY BEAM,  
Appellant  
v.

SCOTT DOWNEY; ROGER MORRISON;  
DAVID L. GRAYBILL; MICHAEL SWEGER,  
Respondents

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ON APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF PENNSYLVANIA

(D.C. No. 01:CV-01-00083)  
District Judge: The Honorable James F. McClure, Jr.

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Submitted Under Third Circuit LAR 34.1(a)  
September 30, 2005

Before: ALITO and AMBRO, Circuit Judges, and  
RESTANI\*, Judge

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JUDGMENT

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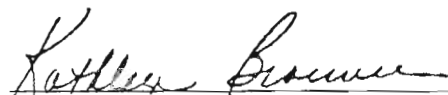
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\*Honorable Jane A. Restani, Chief Judge of the United States Court of International  
Trade, sitting by designation.

This cause came on to be heard on the record from the United States District Court for the Middle District of Pennsylvania and was submitted pursuant to Third Circuit LAR 34.1(a) on September 30, 2005.

After review and consideration of all contentions raised by the appellant, it is hereby ORDERED AND ADJUDGED that the judgment of the District Court dated July 29, 2004 is hereby AFFIRMED, and the Appellee's FED. R. APP. P. 38 motion is hereby GRANTED. Costs taxed against Appellant. All of the above are in accordance with this Court.

ATTEST:

  
Acting Clerk

Dated: October 12, 2005

Certified as a true copy and issued in lieu  
of a formal mandate on November 3, 2005

Teste: 

Clerk, U.S. Court of Appeals  
For the Third Circuit.

